

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 5673 of 2016**

- Smt. Sarita Singh W/o Rajendra Pratap Singh, Aged About 46 Years
R/o Vill Nariyara, P.S. Mulmula, Tah. Akaltara, Distt. Janjgir
Champa, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Health Department,
Mahanadi Bhawan, New Raipur, Raipur, (Chhattisgarh)
2. Collector, Janjgir Champa, Distt. Janjgir Champa, (Chhattisgarh)
3. Chief Medical And Health Officer, Distt. Janjgir Champa,
(Chhattisgarh)
4. Block Medical Officer, Community Health Center Baloda, Distt.
Janjgir Champa, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Ravindra Sharma, Advocate
For State	:	Mr. B. Gopa Kumar, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****18/10/2016**

Heard.

1. The transfer order has been challenged mainly on the ground that the petitioner, who is District Secretary Class-III Employee Union, is being transferred without completing 3 years of posting. It is further submitted that the petitioner has remained posted for 1 year and 8 months at the present place of posting and there is no acute exigency of service to transfer the petitioner because according to the petitioner's information a Rural Health Organizer has already been posted and working at Saradih.
2. *Prima-facie*, it is found that the petitioner, who is an office bearer and who has not completed 3 years of service at the present place of posting, has been transferred by the impugned transfer order. However, this Policy of keeping at one place of posting for a period of 3 years is always subject to acute exigency of service of public

interest warranting transfer. Considering that the petitioner is a Rural Health Organizer, it will be appropriate that the Transferring Authority / Collector considers the petitioner's representation within a period of 15 days. Unless there is an acute exigency showing posting of the petitioner at Saradih, the policy of the Government to keep an office bearer at one place for at least for 3 years is required to be enforced. Till the representation is considered and decided, as directed above, the petitioner shall be allowed to continue at the present place of posting.

3. With these directions / observations, the petition stands finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge